

Appl. No. 10/644,280
Amdt. dated Apr. 23, 2009
Reply to Not. to File Corrected Appl. Papers dated Mar. 10, 2009

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REMARKS/ARGUMENTS

1. In the Notice to File Corrected Application Papers, the Office of Patent Publication indicated that FIG. 2, as filed on August 20, 2003, was objected to because it contains a leadline without a corresponding reference numeral. Reconsideration of this application is respectfully requested in view of the amendments and/or remarks provided herein.

Drawing Objection

2. FIG. 2, as filed on August 20, 2003, was objected to because it contains a leadline without a corresponding reference numeral. Applicant has herein corrected FIG. 2 to remove the extraneous leadline identified in the Notice to File Corrected Application Papers. Accordingly, Applicant submits that the drawings are now in condition for publication in the Letters Patent. Applicant encloses herewith a replacement sheet containing the corrections to FIG. 2.

Request for Waiver of Timing Requirement of 37 C.F.R. § 1.312

3. Rule 312 (37 C.F.R. § 1.312) requires that any amendment after allowance of an application must be submitted before or with payment of the issue fee. However, on March 23, 2004, the U.S. Patent and Trademark Office issued an Official Gazette Notice indicating that the Office of Patent Publication has been delegated as the authority to waive the timing requirement of Rule 312 and accept an amendment filed after payment of the issue fee if such amendment is made to correct defects in the specification or drawings as requested by the Office of Patent Publication. See Waiver of 37 C.F.R. 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004).

In the present case, the Office of Patent Publication has requested that Applicant amend FIG. 2 to correct the leadline defect noted above and Applicant has already paid the issue fee. As a result, Applicant respectfully requests waiver of the timing requirement of Rule 312 and entry of the present amendment.

4. The Examiner or the Office of Patent Publication is invited to contact the undersigned by telephone, facsimile or email if the Examiner or the Office of Patent Publication

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believes that such a communication would advance the prosecution of the instant application.
Please charge any necessary fees associated herewith to the undersigned's Deposit Account No.
50-3744.

Respectfully submitted,

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